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DEP & REF

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PATENT MAINTENANCE  
DIVISION

2005 AUG -1 PM 11:18

In re Patent Application of

SASS

Serial No. 10/524,144

Filed: February 11, 2005

For: USE OF TREOSULFAN AND DERIVATIVES THEREOF  
FOR TREATING MULTIPLE SCLEROSIS  
\* \* \* \* \*

Atty. Ref.: 35-286

US PATENT & TRADEMARK  
OFFICE

Group: Unassigned

Examiner: Unassigned

July 26, 2005

**Mail Stop 16**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**REFUND REQUEST**

The Office is requested to refund the undersigned's Deposit Account for the \$30.00 debited to Deposit Account No. 14-1140 in the monthly statement of June 2005, copy attached. A further explanation of the charge is requested in the event the Patent Office continues to believe the charge was appropriately made.

The \$30 fee (fee code 1617) for furnishing oath or declaration after thirty months from priority date is not believed to be required since the executed Declaration was filed with the application on February 11, 2005, as indicated in the attached copy of the Transmittal Letter (FORM PTO-1390), filed February 11, 2005. A copy of the undersigned's date-stamped postcard of February 11, 2005, is also attached.

SASS

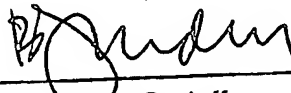
Serial No. 10/524,144

Accordingly, in view of the above and attached, the \$30.00 fee charged by the Patent Office to the undersigned's Deposit Account in the attached statement of June 2005 is believed to be in error and a refund of the noted amount is requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



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Deposit Account Statement



Page 1 of 4



United States  
Patent and  
Trademark Office



**Deposit Account Statement**

Requested Statement Month:

June 2005

Deposit Account Number:

141140

Name:

NIXON & VANDERHYE P.C.

Attention:

MICHELLE N. LESTER

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22203-1808

Country:

UNITED STATES OF AMERICA

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
06/23 11	10524144	35-286 <i>BJS</i>	1617	\$30.00	<u>\$31,157.98</u>



DT03 Rec'd PCT/PTO 11 FEB 2005

U.S. National Phase of PCT/EP03/08957

**10/524144**

Serial No.: Unassigned

Inventor/s: SASS

C#/M#: 35-286

Atty: B. J. Sadoff

Date: February 11, 2005

Title: USE OF TREOSULFAN AND DERIVATIVES THEREOF  
FOR TREATING MULTIPLE SCLEROSIS

☒ Amendment (Preliminary)

15 Pages Specification, Claims & Abstract

8 Claims; 18 Sheets of Drawings

☒ Declaration (2 Pages)

☒ Assignment (1 Pages) Including Cover

☐ Priority Document(s)

☒ Credit Card Payment Form attached (\$1,170.00)

Other: Form PCT/IB/308, Int'l Preliminary Examination  
Report in German language, PTO Form 1449 listing  
references cited in Int'l Search Report (attached)

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>35-286</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.51) <b>Unassigned</b>	<b>COPY</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/008957</b>	INTERNATIONAL FILING DATE <b>12 August 2003</b>	PRIORITY DATE CLAIMED <b>13 August 2002</b>	
TITLE OF INVENTION <b>USE OF TREOSULFAN AND DERIVATIVES THEREOF FOR TREATING MULTIPLE SCLEROSIS</b>			
APPLICANT(S) FOR DO/EO/US <b>SASS, Gretel</b>			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The U.S. has been elected (Article 31).
- A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☒ is attached hereto (15 pages specification, claims & abstract (8 claims), 18 sheets drawings) in German language.
  - ☒ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))
  - ☐ is attached hereto (      pages specification, claims & abstract (      claims),      sheets drawings,      page Certificate of Translation).
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  - ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (      page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 To 20 below concern document(s) or information included:**

- ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- ☒ A **FIRST** preliminary amendment.
  - ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
- ☐ An Application Data Sheet under 37 C.F.R. § 1.76.
- ☐ A substitute specification.
- ☐ A change of power of attorney and/or address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
- ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information. Form PCT/IB/308. International Preliminary Examination Report (in German language)

Mail Stop PCT  
**COPY**

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) <b>Unassigned</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/008957</b>		ATTORNEY'S DOCKET NUMBER <b>35-286</b>	
<input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b>					
				\$	300.00
<input checked="" type="checkbox"/> a) Basic national fee .....				\$	200.00
<input checked="" type="checkbox"/> b) Examination Fee .....				\$	500.00
<input checked="" type="checkbox"/> c) Search Fee .....				\$	1000.00
<b>TOTAL OF ABOVE CALCULATIONS .....</b>					<b>\$1000.00/\$500.00</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
33 -100	0 /50 =	0.00	\$0.00 (1681) \$0.00 (2681)		
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
CLAIMS		NUMBER FILED	# EXTRA	RATE	
Total Claims	8	minus 20 =	0 X	\$50.00 (1615)/	\$25.00 (2615)
Independent Claims	1	minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614)
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).					
<b>TOTAL NATIONAL FEE =</b>				\$	1130.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property				\$	40.00
Fee for Petition to Revive Unintentionally Abandoned Application: \$1500.00 (1453) / \$750.00 (2453)				\$	0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	1170.00
				Amount to be: refunded	\$
				Charged	\$
a. <input type="checkbox"/> A check in the amount of \$1170.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed. d. <input checked="" type="checkbox"/> <b>CREDIT CARD PAYMENT FORM ATTACHED.</b> e. <input checked="" type="checkbox"/> The entire content of International Application No. PCT/EP2003/008957 and any U.S. and foreign application(s) corresponding thereto, and DE 102 37 146.6, referred to in this application is/are hereby incorporated by reference in this application. <b>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.</b> <b>CORRESPONDENCE ADDRESS</b> Direct all correspondence to: <input checked="" type="checkbox"/> <b>Customer Number:</b> <span style="border: 1px solid black; padding: 2px 10px;"><b>23117</b></span> <small>Type Customer Number here</small>					
Telephone: (703) 816-4000 BJS:aib					
B. J. Sadoff NAME					
36.663 REGISTRATION NUMBER					
February 11, 2005 Date					

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